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HONOURABLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO.20714 OF 2005

DATED:21-09-2005

Between:

1. Syeda Asifa Shaheen and another

..... PETITIONERS

AND

1. Asst.City Planner, Circle V, Municipal Corporation

of Hyderabad and another.

.....RESPONDENTS

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HONOURABLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO.20714 OF 2005

ORDER:

This petition is filed questioning the action of the respondents in trying to

demolish the structures of the petitioners for road widening.

The case of the petitioners is that in spite of their stating that they are not willing to part with the possession of their property without payment of compensation as contemplated by Sections 146 and 147 of the Hyderabad Municipalities Act, the respondents are insisting on their parting with the possession of the land for road widening, by taking extra FSI.

Since the petitioners are not willing to take extra FSI, and want to part with the land only when it is acquired as per the provisions of the Land Acquisition Act and since Sections 146 and 147 of the Hyderabad Municipalities Act contemplate acquisition of land for any public purpose, this writ petition is disposed of with a direction to the respondents not to interfere with the possession of the petitioners' property without following due process of law. No order as to costs.

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21st September, 2005.

SKM